

DEPOSITION OF JAMES C. OWENS

January 24, 2006

Pages 1 through 100

**CONDENSED TRANSCRIPT AND CONCORDANCE
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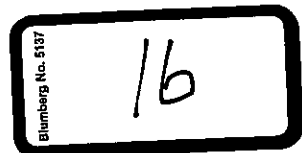
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1 Owens in this area. You consider the
2 south, which -- how extensive?
3 Q. Well, I'm trying to figure out for the
4 middle district. So instead of trying to
5 list all the counties in the middle
6 district, just if you think of Elmore
7 County south.
8 A. That would be it, then.
9 Q. Okay. Could you tell me where they're
10 employed?
11 A. Okay. Michael does body and paint shop for
12 himself. John is medically retired.
13 Q. Okay.
14 A. Carolyn works -- I want to say for KIM2HM.
15 She does that water testing.
16 Q. Okay.
17 A. And Ethel, she is retired.
18 Q. Okay. Would that cover your wife's
19 siblings, too?
20 A. Okay. South. Okay. That would -- you
21 would take --
22 Q. We don't have to go as far as Mobile.
23 A. Okay. John Williams, he is a brickmason,

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1 self-employed, as is Richard Williams,
2 self-employed. Eli Williams, he's a truck
3 driver.
4 Q. Okay. If you can think of either
5 relatives' last names -- I don't want to go
6 through all cousins and everything, but
7 last names of relatives either by blood or
8 marriage just generally so we'll know kind
9 of that's in that area.
10 A. Most of my cousins, they live out of town.
11 Q. Okay. So not in this --
12 A. No, not in this area.
13 Q. What about with your wife?
14 A. She has a host of them in Ramer, and I
15 would hate to try to remember all those
16 names. Just the last names --
17 Q. Just last names.
18 A. Williams and Perrys. That would just about
19 take into account.
20 Q. Are you a member of any clubs or
21 organizations or churches in the Montgomery
22 area or south Alabama?
23 A. Yes.

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1 Q. Okay.
2 A. Organizations, CLAS, AEA. Montgomery East
3 Neighborhood Association. And churchwise,
4 I'm a pastor of a church.
5 Q. What church are you a pastor of?
6 A. Second Baptist Church.
7 Q. Here in Montgomery?
8 A. Yes, sir.
9 Q. All right. Have you pastored any other
10 churches besides Second Baptist?
11 A. One, First Baptist Church in Hope Hull,
12 about five years.
13 Q. All right. When you have had to hire
14 folks for positions in your schools, what
15 process have you -- or procedure have you
16 followed in hiring teachers and certified
17 employees?
18 A. Generally there is a list of names that you
19 can select from. You call an individual
20 in. You'll set up an interview time for
21 them to come. You talk with them and you
22 basically rank them in terms of one, two,
23 or three. One in my case would be the one

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1 that I would like to have. If for some
2 reason sometimes they're employed, you
3 write in a second or third choice.
4 Q. Okay.
5 A. And then you send the recommendation to the
6 elementary person in charge of hiring at
7 central office.
8 Q. In your years as a principal, how many
9 certified employees have you hired to work
10 at your schools?
11 A. Somewhere in the neighborhood of maybe five
12 to ten.
13 Q. Okay. Have you had anybody who was --
14 A. Need to say not hired, but recommended.
15 Q. Sure. I understand.
16 A. Because the board...
17 Q. Have you had anybody who is your first
18 choice to be hired not get hired?
19 A. Well, not so much not get hired, but I
20 think someone else had employed them prior
21 to me recommending their name. I've had
22 that to happen
23 Q. Okay. Have you had any situation where the

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1 right?
2 A. No, sir.
3 Q. That school system has to let them out,
4 don't they?
5 A. Yes, sir.
6 Q. And if they just walk away, their
7 certificate is subject to discipline, isn't
8 it?
9 A. Well, something can happen at the state
10 level.
11 Q. Okay. And so Mr. Lowe's school system that
12 he was at was going to have to release him
13 from that school system in order for him to
14 take the employment here in Montgomery?
15 A. That would be correct.
16 Q. Now, I think you said you got a list of
17 names for individuals for a reading coach
18 position. Was that the way that position
19 was advertised was for a reading coach
20 position?
21 A. Well, what it was, there were great talk --
22 and you have to understand, we go to
23 meetings all the time, and terminology and

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1 names are thrown around. The schools were
2 supposed to have a reading coach, and you
3 can get a reading coach through several
4 means. Title I, the state actually hires
5 coaches and puts them at the schools, and
6 central office has a lot to do with it
7 now.
8 My method at that time, Mr. Lowe's
9 moneys came through the general fund. It
10 was not Title I. We did not have a budget
11 that was sufficient to get a reading coach
12 at Daisy Lawrence.
13 Q. But the position that he and the others
14 were being interviewed for was for a
15 reading coach position?
16 MS. CARTER: Object to the form.
17 A. Yes, sir. To my knowledge, yes, sir.
18 Q. Okay. And was this going to be -- did you
19 know whether or not that would be a
20 nine-month or ten-month position?
21 A. I told him that when he went down to the
22 central office that they would talk to him
23 about the length and term of the contract.

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1 Q. Okay. Were you -- were you not aware at
2 the time of whether it would be a nine or
3 ten? Is that --
4 A. I was looking at a nine-month contract.
5 Q. You were thinking it would be nine months?
6 A. Yes.
7 Q. Okay. Did y'all discuss at that point when
8 you were interviewing Mr. Lowe whether it
9 would be nine or ten months?
10 A. We didn't. Like I said, again, I told him
11 when he goes down to fill out the final
12 papers, fill out the papers, they would
13 discuss it better with him. Then that way
14 it would only be monogamous in terms of
15 answer.
16 Q. And I looked at an evaluation you did which
17 we have in the documents of Mr. Lowe, but
18 it lists him as a reading coach. Is that
19 the duties he performed while at Daisy
20 Lawrence?
21 MS. CARTER: Object to the form.
22 A. He performed reading tutor duties. Once
23 the clarification of the title -- Mr. Lowe

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1 and I talked when he came back, once he
2 met, had met with Mr. Barker in the central
3 office or whomever he met with, and said
4 that he was hired on for a reading tutor.
5 And I asked him at that time was he
6 satisfied with that, and he said that that
7 was the reason he left the other county for
8 a reading coach. And I thought it was,
9 too, to be honest.
10 Q. Okay. Mr. Lowe had said that he left the
11 other county and turned his resignation in
12 because he thought he was coming to be a
13 reading coach?
14 A. That's correct.
15 Q. But he told you that he -- I guess
16 subsequent to resigning from that position,
17 he goes and meets with someone at the
18 central office, and they told him, no, he's
19 going to be a reading tutor; is that right?
20 A. Reading tutor. Yes, that's what he
21 reported.
22 Q. But the actual duties or the job that
23 Mr. Lowe did, was it a reading coach job?

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1 A. Well, we didn't have one, and Mr. Lowe came
2 in. His duties -- he had a list of
3 students that he would tutor. That would
4 be the phase of a reading tutor, to work
5 with students that teachers have identified
6 as struggling readers. Plus, we had
7 another program there that Mr. Lowe
8 assisted with, and his duties -- and part
9 of the way that I operate as administrator,
10 as other principals helped me along, we try
11 to enhance another person's duty or bring
12 them along as a leader. And that's
13 basically what Mr. Lowe and I tried to work
14 out.

15 There was a lot of things that he knew
16 about reading already. Either he did the
17 duties or I would have to -- had to do the
18 duties, so we kind of worked together. But
19 basically, he did everything except attend
20 the meetings. He could not attend the
21 meetings when they had a reading coach
22 meeting.

23 Q. Okay. So he basically was performing those

1 instead of a reading coach?

2 A. No, sir, I never did get into that. He
3 was -- after he came back from the meeting,
4 I thought maybe it was satisfactory, what
5 they had discussed. I did not usurp
6 anyone's authority and I didn't get into
7 Mr. Lowe's affairs after that. And later I
8 think he was hired as a reading coach at
9 Southlawn Elementary, I think, or something
10 if I'm not mistaken.

11 Q. Okay. So he did some summer duty at
12 Southlawn as a reading coach position?

13 A. Yes, sir.

14 Q. Okay. Did anybody -- I know you didn't
15 inquire, hey, why didn't y'all -- why did
16 y'all call him this if he's doing that, but
17 did you ever get any kind of information
18 from anyone in administration or the
19 superintendent or from human resources
20 about why he was being treated -- going to
21 be called a reading tutor rather than a
22 reading coach?

23 MS. CARTER: Object to the form.

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1 duties of a reading coach and a reading
2 tutor, but he couldn't go to the reading
3 coach meetings?

4 A. No.

5 Q. Was that --

6 A. By virtue of his title.

7 Q. But I've accurately summarized it; is that
8 right?

9 A. Yes.

10 Q. Is that correct?

11 MS. CARTER: Object to the form.

12 A. Yes.

13 Q. Now, do you know if the central office
14 would send him materials or e-mails as if
15 he was a reading coach?

16 A. Yes, sir.

17 Q. Okay.

18 A. He would get those. He would come in, we'd
19 discuss it as to the best route to approach
20 it.

21 Q. Did you ever speak with anyone in central
22 office or the superintendent about why they
23 would want to call him a reading tutor

1 A. No, sir.

2 Q. Okay. Did you have any conversations with
3 Bullock County before Mr. Lowe came over?
4 Did you talk to any of the officials there?

5 A. No, sir.

6 Q. In 2004-2005, did you become aware that
7 Mr. Lowe had filed an EEOC complaint
8 against the Montgomery County Board of
9 Education?

10 A. No, sir.

11 Q. All right. Did you ever learn that he had
12 filed an EEOC complaint?

13 A. I did.

14 Q. All right. When was that?

15 A. That was late. I can't exactly remember
16 the exact date, but school was -- I can't
17 even remember whether school was in or
18 school was out, it was so late.

19 Q. Okay. Did you ever learn during the
20 2004-2005 school year that Mr. Lowe had
21 filed a lawsuit?

22 A. No, sir.

23 Q. Did you ever talk to Mr. Lowe about a

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1 lawsuit that he had filed with Montgomery
 2 County Board of Education or an EEOC
 3 complaint?
 4 A. No.
 5 Q. Never came up?
 6 A. No, sir.
 7 Q. Did you ever discuss with Mr. Lowe that --
 8 or say anything, words to the effect that
 9 he should not have filed a lawsuit against
 10 Montgomery County Board of Education?
 11 A. No, sir. I would be crossing a line. No,
 12 sir.
 13 Q. Or did you ever say anything to him that
 14 anyone in administration had informed you
 15 that he shouldn't have filed a lawsuit --
 16 A. No, sir.
 17 Q. -- or an EEOC complaint?
 18 A. No, sir.
 19 Q. Did you ever say anything to him that you
 20 felt like that there were persons in the
 21 administration of the school system that
 22 had negative feelings about him?
 23 A. No, sir, I don't know that. No, sir.

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1 Q. Okay. You never relayed anything to him
 2 about either Mr. Barker was -- didn't like
 3 him for some reason or that some other
 4 school personnel may not like him for some
 5 reason?
 6 A. No, sir.
 7 Q. In 2004-2005, did Mr. Lowe apply for leave
 8 to attend a conference?
 9 A. I believe it was one down in Biloxi, I
 10 believe it was.
 11 Q. Yes, sir. And -- I was going to see if I
 12 could find it quickly and let you take a
 13 look at it.
 14 Did you approve that leave?
 15 A. Yes, sir, that's my signature.
 16 Q. That's Exhibit 13. All right. And what
 17 date did you approve it on?
 18 A. On -- according to this, 10/18/04.
 19 Q. 10/18/04?
 20 A. Yes, sir.
 21 Q. Was this leave denied?
 22 A. It was by Mr. -- I think Mr. Barker signed
 23 it.

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1 Q. Okay. Did you talk to Mr. Barker about the
 2 denial of the leave?
 3 A. I did.
 4 Q. All right. Did you get an explanation for
 5 the denial?
 6 A. Mr. Barker is my superior, and if he writes
 7 something, if he says something, I'm going
 8 to pretty much follow that.
 9 Q. Sure. I didn't mean to imply that you were
 10 questioning or challenging him on it. I
 11 was just wondering if he ever said why he
 12 denied it.
 13 A. No, he didn't.
 14 Q. Okay. I guess you felt that it was an okay
 15 thing for Mr. Lowe to do if you approved it?
 16 A. Yes.
 17 Q. And this was to speak at a function, a
 18 seminar. Did you feel like Mr. Lowe was
 19 knowledgeable and could present himself
 20 well enough at that seminar to speak at
 21 that seminar?
 22 A. Yes, sir. I'm trying to recall. I think
 23 it was in conjunction, too, with some class

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1 he was taking. I can't remember exactly
 2 all of the specifics of it, but that's --
 3 that's basically it.
 4 Q. Okay. Did Mr. Lowe apply for additional
 5 leave for another seminar or conference?
 6 A. Yes, sir. That's my signature there.
 7 Q. Okay. And you approved that leave as well?
 8 A. Yes, sir.
 9 Q. But that leave was also denied, is that
 10 right, by central office?
 11 A. Yes, sir.
 12 Q. Were you ever told why that leave was
 13 denied?
 14 A. No, sir.
 15 Q. Did you have any other employees request
 16 professional leave and development that
 17 school year?
 18 A. Yes, sir.
 19 Q. All right. Who would normally approve
 20 or -- from the central office or deny that
 21 leave?
 22 A. Mr. Barker or Ms. Hicks.
 23 Q. Okay. Did you have any other employees

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1 whose leave was denied that year?

2 A. It's hard to remember that. It would be

3 hard to remember it because you're

4 generally talking about 25 to 30 per year.

5 Q. Anything stand out as you sit here today?

6 A. No.

7 Q. Okay. Did you have any leave that was not

8 approved that year for you personally?

9 A. I don't think that year, but I've had some

10 denied, yes, sir.

11 Q. Okay. What situations were denied for

12 leave you wanted to take, do you remember?

13 Was it to speak at conferences or --

14 A. I think I was going to attend a workshop on

15 mediation at the bar association.

16 Q. And that got denied?

17 A. Yes.

18 Q. Okay. Any others you can think of?

19 A. I think that that's the most recent one.

20 Q. Did you have any discussions with Mr. Lowe

21 about the denial of these leaves? Do you

22 recall any of that?

23 A. Any time they would send the information

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1 back to me, I would have two methods of

2 communicating with them: One, I would

3 xerox a copy of the request, the initial

4 request form, and tell them that it was

5 approved or denied. If they needed a sub,

6 it was approved, they would go ahead and

7 get a sub. If it was denied, then I would

8 just tell them they can refer that to the

9 person that basically denied it.

10 Q. All right. Do you recall if any leave was

11 approved for Mr. Lowe in 2004-2005?

12 A. I can't remember.

13 Q. Do you recall ever any employees that went

14 a whole year and didn't get any kind of

15 leave of this nature for seminars approved?

16 MS. CARTER: That worked for his

17 school?

18 MR. PATTY: Well, that he knows

19 of, has personal knowledge.

20 A. A whole year?

21 Q. Yes, sir.

22 A. No, sir, I couldn't recall that.

23 Q. Okay. Did you ever receive in the pony

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1 some documents regarding Mr. Lowe and a

2 reprimand at Southlawn Middle School?

3 A. I did.

4 Q. How did that come about? How did you get

5 that? Did you request it or --

6 A. No, sir. I don't know. I just opened an

7 envelope. It was no name on it. Just --

8 Q. Just showed up?

9 A. Just addressed. That was it.

10 Q. So you had made no request for that

11 information?

12 A. No, sir. I was not aware of it.

13 Q. Was that the first you had seen of that

14 letter of reprimand?

15 A. Yes, sir.

16 Q. Okay. Did that surprise you to get that,

17 something from somebody's personnel file

18 just in the mail anonymously like that?

19 A. It's kind of unusual.

20 Q. I wouldn't expect that happens very often,

21 right?

22 What did you do regarding that?

23 A. We had maintained a personnel folder on the

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1 faculty, and we put that in it.

2 Q. Okay. Did you ask Mr. Lowe about it, I

3 mean, why were you getting this?

4 A. I didn't get into it. I mentioned to him,

5 but we didn't discuss it. I didn't want to

6 hear anything concerning that. I was just

7 interested in him doing the work that he

8 was hired to do.

9 Q. Did you talk to anyone at human resources

10 about your receiving those documents?

11 A. No, sir.

12 Q. Did anyone ever come to you and say, I'm

13 the one that sent it to you? Do you have

14 any idea who sent it to you?

15 A. I didn't -- I didn't go parading that

16 around. I just put it in the file and I

17 just --

18 Q. Sure.

19 A. -- left it there.

20 Q. But you had not requested anything like

21 that from the central office?

22 A. No, sir.

23 Q. Do you remember roughly when that was that

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1 you got those documents? It was in his
2 first year working with you, his second
3 year?
4 A. It was in his first year.
5 Q. Okay. Middle of the year, beginning, end?
6 A. I can't remember the exact period in the
7 year, but it was -- I want to say about two
8 months after he was on board the first year.
9 Q. Okay. Have you had any discussions with
10 Mr. Lowe about his lawsuit or EEOC
11 complaint at all?
12 A. No, sir. I don't know the contents of it
13 or anything. No, sir.
14 Q. Okay. And you've never said to him that
15 the board or Dr. Purcell is not going to
16 like that lawsuit or that EEOC complaint?
17 A. No, sir.
18 Q. Never said that he shouldn't have filed
19 it?
20 A. No, sir.
21 Q. Did you give Mr. Lowe a letter of
22 recommendation to --
23 A. Yes, sir. He has requested I want to say

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1 one or two letters of recommendation from
2 me.
3 Q. And you wrote those?
4 A. Of course. Sure.
5 Q. Okay. Now, during the summer of 2005, did
6 you have any contacts with Mr. Lowe?
7 A. During the summer?
8 Q. Yes, sir, this past summer.
9 A. Only time I talked with him is after I got
10 on board at Paterson, and I found that the
11 reading scores were low, and I found out
12 that he was not working. I talked to him
13 to see -- to find out whether he was
14 working, and if so, would he be interested
15 in working there because I had that
16 position. I was trying to get it approved,
17 and once I got it approved, I was going to
18 call him in for an interview.
19 Q. Did you contact Mr. Lowe for that position?
20 A. I did.
21 Q. Okay. And it was a reading coach position?
22 A. Yes, sir. We created one for four through
23 six.

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1 Q. And this was a job that the duties he had
2 satisfactorily carried out for you for two
3 years; is that right?
4 MS. CARTER: Object to the form.
5 A. Yes.
6 Q. Okay. Based upon his performance in that
7 job previously, you felt like he would be a
8 good candidate for this job at Paterson?
9 A. Yes.
10 Q. Okay. And tell me what happened. Did you
11 contact him first, or did you go to the
12 board and say, I want to contact Mr. Lowe,
13 or how did that work?
14 A. Well, first what you have to do is
15 determine your needs. You have to go
16 through Title I. You have to sit down with
17 the person that works with your school.
18 You go through your budgetary concerns.
19 You see whether or not you can entertain
20 the motion of having a reading coach.
21 There was three positions that I was
22 looking for at that time: Reading coach,
23 math tutor, and a writing tutor. Those

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1 were the primary concerns of Paterson at
2 that time. And you have to do a hire form,
3 and from there the persons in Title I would
4 go through Dr. Gwinn, which is director,
5 and from there we have an office downtown
6 in the federal programs. Mr. Dobbins is
7 over that. And sometimes -- I'm not real
8 sure when it gets downtown whether it's --
9 when it's coming from Title I, whether it
10 goes through Mr. Barker or just the general
11 fund and the AR coaches. It gets kind of
12 funny down in there where -- when it comes
13 down to that, so I don't want to go too far
14 on that one.
15 Q. When Mr. Lowe worked with you previously,
16 y'all have to -- don't y'all have to code
17 jobs for your funds and stuff? Don't you
18 have to code what job each employee is
19 doing so that you get the moneys back from
20 the state?
21 A. Well, that would be done downtown.
22 Q. Okay. Well, did you know when Mr. Lowe
23 worked with you at Daisy Lawrence how he

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- 1 was coded, if he was coded a reading coach,
2 reading tutor, teacher? Do you know how he
3 was coded at all?
4 A. No. Once he came on board, his official
5 title would have to be what he discussed
6 with the person downtown.
7 Q. Right.
8 A. And it was reading tutor, and that's what
9 that had to be.
10 Q. But do you know how he was coded for budget
11 purposes with the school system?
12 A. No, sir. That would have been coming from
13 out of finance.
14 Q. All right. Now, let's back up or go back
15 where we were. After you had I guess
16 gotten the positions approved, did you have
17 a reading coach, math tutor, and writing
18 tutor all approved? All three of those
19 slots approved?
20 A. Yes, sir.
21 Q. And did you hire personnel for all three of
22 those slots at your school?
23 A. Yes, sir.

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- 1 Q. Now, did you consider Mr. Lowe for the
2 writing tutor or math tutor positions?
3 A. Generally, when I looked at those
4 positions, I was looking at a part-time
5 person that would come in. I specifically
6 asked about the reading coach position.
7 Q. Okay. So the math tutor and writing tutor
8 are part-time jobs?
9 A. Right.
10 Q. All right. Now, going to the reading coach
11 position, once that -- when was that
12 position approved for filling by the school
13 system?
14 A. I want to say in September, early September.
15 Q. In early September?
16 A. Prior to the 15th.
17 Q. Okay. You say you contacted Mr. Lowe.
18 When did you contact him about filling that
19 position?
20 A. I want to say around the 25th of August,
21 somewhere near the end of August, somewhere
22 down there at the end.
23 Q. Did you keep a file regarding that

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- 1 position, like the people you talked to,
2 your conversations with Mr. Lowe,
3 conversations with central office, just
4 anything you had relative to that position?
5 A. I generally will keep the information that
6 the person will bring in to me.
7 Q. Sure.
8 A. I have his folder.
9 Q. Okay. Do you keep notes of your contacts?
10 Say, if you talk to Mr. Lowe or if you talk
11 to someone at central office regarding that
12 position, do you keep notes on those?
13 A. I think only -- I contacted central office
14 once or twice, and I think I did it via
15 e-mail.
16 Q. Would you still have copies of those
17 e-mails?
18 A. Sure.
19 Q. Okay. Did you ever write the central
20 office a letter or anything regarding
21 Mr. Lowe? Not just an e-mail, but a --
22 A. No.
23 Q. Okay. So any written materials you would

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- 1 have for that job would either be your
2 e-mail that you sent to the central office
3 or materials that a candidate might have
4 brought in to give you?
5 A. Right.
6 Q. Okay. You say you contacted Mr. Lowe
7 August 25th?
8 A. Somewhere in that neighborhood. The last
9 weekend after I had looked at the budgetary
10 concerns and assessed the problems there
11 with a team of people at the school, we
12 found those would be the greatest needs and
13 the best ways to spend those moneys.
14 Q. Did you ask the central office if they had
15 a list of people for possible -- for that
16 possible position prior to contacting
17 Mr. Lowe?
18 A. No, I didn't.
19 Q. Okay. In handling personnel hirings in the
20 system before, if a principal knows about a
21 particular candidate being available or
22 someone who may be qualified for that
23 position, is there anything wrong with that

13 (Pages 49 to 52)

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1 principal contacting that individual to see
2 if they've got any interest in the
3 position?
4 MS. CARTER: Object to the form.
5 A. Well, basically, what you try to do, and
6 the reason I contacted him primarily is
7 because he had worked with me previously.
8 Q. Sure.
9 A. And I was trying to make sure that the
10 individuals that worked with me previously
11 had a job if I could help them in any way.
12 Q. Sure.
13 A. And that's why I called him up.
14 Q. Okay. But there was nothing inappropriate
15 in your working here at Montgomery County
16 Board of Education for you to do that?
17 A. No, sir. Because if he was on the list
18 once, they had not taken him off the list.
19 Q. Sure. Okay.
20 Now, you met with -- you called
21 Mr. Lowe. Can you tell me about that
22 conversation, what you recall.
23 A. I just asked him, I said, are you working

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1 now? And he said, no. I said, well, I may
2 have something available if the board
3 approves it. So I said, you need to get
4 your resume and any other materials. I
5 treated him just like -- even though I had
6 worked with him, I treated him just like a
7 first-time candidate.
8 Q. Do you know if all the other folks that
9 worked at Daisy Lawrence with you got
10 employed?
11 A. I'm not real sure of everyone. There was
12 one person that still had not been hired in
13 August, Mr. Brown, and I wrote the
14 superintendent a letter trying to get him
15 hired for behavior person. I did not know
16 at the time that Mr. Lowe was not hired.
17 Q. What position did Mr. Brown have?
18 A. He was a behavior interventionist.
19 Q. Is he certified?
20 A. Yes, sir, he was certified.
21 Q. Certified?
22 A. Yes. But he was ultimately hired at
23 Lanier, and that's why I couldn't --

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1 Q. To your knowledge, is there anybody on
2 staff, that was on your staff at Daisy
3 Lawrence other than Mr. Lowe that has not
4 been rehired by the school system?
5 A. Only one, and I ran into her lately. She
6 works with the school system as a
7 part-time, Chastity Williams. She was an
8 aide. She did not get full time. But
9 certified, I think that he may be the only
10 one that's not hired.
11 Q. So all certified folks except for Mr. Lowe
12 got rehired; is that correct?
13 A. To my knowledge, yes.
14 Q. And the only person in the noncertified
15 category would be a lady who's an aide --
16 who was an aide; is that right?
17 A. Yes.
18 Q. And she's now working part time?
19 A. Right.
20 Q. Okay. How many folks did you have work
21 with you at Daisy Lawrence?
22 A. I want to say it was about 25.
23 Q. Okay. At the end of the school year, is it

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1 the practice that the principal will turn
2 in names to the superintendent of the
3 nontenured teachers that they think should
4 be renewed or nonrenewed for the upcoming
5 year?
6 A. Yes, sir, we have such a practice.
7 Q. If Daisy Lawrence had not closed, would you
8 have had a recommendation regarding
9 Mr. Lowe, either to nonrenew him or renew
10 him?
11 A. I would not have offered to tender a
12 nonrenewal notice to him, no, sir.
13 Q. You would not have nonrenewed?
14 A. Would not have, no, sir.
15 Q. You would not have nonrenewed him?
16 A. No, sir.
17 Q. Okay. I was just trying to make sure.
18 Now, going back to -- you have a
19 meeting with -- you have a conversation
20 with Mr. Lowe, talk to him. Do you
21 remember anything else in that conversation
22 that y'all talked about?
23 A. No, sir, that was basically the extent of

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1 A. No, not at that time.
 2 Q. All right. At the time you submitted
 3 Mr. Lowe's name, had you interviewed
 4 anybody else?
 5 A. I hadn't interviewed anyone else. I had a
 6 couple of people in mind, but I hadn't
 7 interviewed them yet. And when I sent his
 8 nomination in, Mr. Barker ultimately called
 9 me and said that he would like for me to
 10 talk to some other candidates. Of course,
 11 I was cordial. I said sure.
 12 Q. Okay.
 13 A. And I was sent three names -- not real sure
 14 whose name was on the e-mail, but sent
 15 three candidates. I contacted them
 16 personally or my secretary contacted them,
 17 and from there we scheduled them to be
 18 interviewed.
 19 Q. Did Mr. Barker tell you why you needed to
 20 talk to these other three candidates?
 21 A. No, not to my knowledge, he didn't. He
 22 just said that he wanted me to talk to some
 23 more candidates.

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1 Q. When you were having the --
 2 Now, to get the reading coach position
 3 approved, you couldn't do that on your own,
 4 right?
 5 A. No, sir.
 6 Q. Somebody --
 7 A. The board has to approve all personnel
 8 action.
 9 Q. Once that position was approved, did
 10 anybody instruct you that you had to go
 11 through any special process or unique
 12 process for hiring reading coaches?
 13 MS. CARTER: Object to the form.
 14 A. No, sir.
 15 Q. When you hired Mr. Lowe and interviewed him
 16 before back in 2003, did anybody tell you
 17 when you -- that you needed to go through
 18 any kind of special process to interview
 19 and hire reading coaches?
 20 MS. CARTER: Object to the form.
 21 A. No, sir.
 22 Q. Okay. And have you hired any other -- have
 23 you hired reading coaches before this or --

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1 have you had any other reading coaches
 2 besides these two positions that you've
 3 hired?
 4 A. Well, the reading coach actually is a new
 5 position.
 6 Q. Okay.
 7 A. It's -- I mean, it's only been out maybe
 8 three or four years in this area.
 9 Q. Okay.
 10 A. So it's not something that's been long
 11 standing.
 12 Q. Okay. Did anyone at any point tell you
 13 that in order to hire a reading coach, a
 14 reading coach must have a certain rating or
 15 ranking from a committee?
 16 A. No, sir.
 17 Q. Okay. All you were told by Mr. Barker was,
 18 here, talk to these three other candidates?
 19 A. Not by him specifically. Ms. Mizelle would
 20 be tendering some names.
 21 Q. Okay.
 22 A. She tendered some names, three of them.
 23 Q. Okay. So Mr. Barker told you that

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1 Ms. Mizelle would be tendering some names
 2 to you?
 3 A. Yes.
 4 Q. Okay. Did you feel like anything that you
 5 did in that process up to that point was
 6 inappropriate or wrong?
 7 A. No, sir.
 8 MS. CARTER: Or what?
 9 MR. PATTY: Or wrong.
 10 Q. Did you feel like anything that you were
 11 doing in interviewing Mr. Lowe and
 12 recommending his name was out of line with
 13 what your experiences had been in the
 14 Montgomery school system?
 15 MS. CARTER: Object to the form.
 16 A. Well, you know, a little bit. Generally,
 17 you know, didn't get that much static
 18 behind it. You either do it and they --
 19 meaning the board -- approves it. The
 20 person you send the name in to, they would
 21 tender it up to the superintendent, the
 22 superintendent then would put it on the
 23 personnel action, the board vote it up or

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1 down.
 2 Q. Okay. So normally you would submit a name
 3 like Mr. Lowe's, and he would go to the
 4 board and the board would vote it up or
 5 down, basically, is how it worked; is that
 6 correct?
 7 A. That's correct.
 8 Q. And in this situation, instead, you got
 9 told you need to talk to these other
 10 people; is that right?
 11 A. That's correct.
 12 Q. And Connie Mizelle would let you know --
 13 MS. CARTER: Can you answer
 14 out loud? I'm sorry. I don't
 15 want to stare at you when
 16 you're talking, and I can't
 17 hear what you're saying.
 18 THE WITNESS: I'm sorry.
 19 Q. Three additional names that you got from
 20 Connie Mizelle were -- Strike that.
 21 The three names you got from Connie
 22 Mizelle, was Mr. Lowe's name in that list?
 23 A. His name was not in that list.

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1 Q. All right. Did they mention Mr. Lowe in
 2 that list of three names at all?
 3 A. No, sir.
 4 Q. When you got that list, did you interview
 5 those three people?
 6 A. Yes, sir.
 7 Q. And did you subsequent to interviewing
 8 those three people make a recommendation as
 9 to who you wanted to hire?
 10 A. Yes, sir.
 11 Q. All right. Who did you recommend?
 12 A. I recommended Mr. Lowe again.
 13 Q. Okay. And was that based upon your years
 14 of experience and training and work as a
 15 principal and administrative assistant that
 16 you felt like he was the best candidate for
 17 that job?
 18 MS. CARTER: Object to the form.
 19 A. Yes, sir. In looking at the material that
 20 was brought and the questions that had been
 21 put forth, I thought he was.
 22 Q. And based upon the interviews you
 23 conducted, was that part of your

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1 consideration?
 2 A. Yes, that was. Yes.
 3 Q. Now, after you made -- Did you make that
 4 recommendation in writing? Was it an
 5 additional form that you submitted?
 6 A. E-mail.
 7 Q. E-mail?
 8 A. Yes.
 9 Q. Did you say in that e-mail, I want to -- I
 10 still would like to hire Mr. Lowe, or what
 11 did you --
 12 A. I can't remember the exact wording, but
 13 Mr. Lowe was the first choice. And I think
 14 subsequent to that, I said that my second
 15 choice would be another person.
 16 Q. Okay. Who was your second choice, do you
 17 remember?
 18 A. Yes.
 19 Q. Who was that?
 20 A. Ms. Freeny.
 21 Q. Ms. Freeny.
 22 Now, in this e-mail that you sent, did
 23 you put your first and second choice in

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1 that e-mail or did you just put Mr. Lowe
 2 and then later gave them Ms. Freeny's
 3 name?
 4 A. I want to think that I put both on the --
 5 I'm not absolutely sure on that.
 6 Q. Okay. Would you still have that e-mail, do
 7 you think?
 8 A. I think, yes.
 9 Q. Now, what was the response you received
 10 from that e-mail?
 11 A. I didn't get a response. It was a few
 12 weeks, couple of weeks.
 13 Q. Did you make inquiries about what was going
 14 on?
 15 A. I called to Ms. Winborne and called
 16 Mr. Barker once or twice. And after
 17 about -- I want to say a couple of weeks, I
 18 went down just to see where we were because
 19 time was of essence, especially with your
 20 student population. And I didn't talk to
 21 Mr. Barker, but I talked to Ms. Winborne.
 22 She works with the elementary. And she
 23 didn't elaborate, but she just said -- I

17 (Pages 65 to 68)

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1 Q. Go ahead.
2 A. You have -- she was already employed by the
3 board, so you're talking about two to three
4 weeks.
5 Q. Okay. How long did it take her to come on
6 board as a reading coach?
7 A. Two to three weeks. She was holding down a
8 teaching slot at another school, and they
9 had to advertise her position first before
10 she could be released.
11 Q. All right. Did they let you know, though,
12 when she was cleared to be hired for that
13 position after you said, okay, I'll take
14 Ms. Freeny if I can't have Mr. Lowe?
15 A. Well, my conversation with Ms. Winborne,
16 that she would be hired.
17 Q. Okay.
18 A. I didn't know a specific date.
19 Q. Okay. You just -- you were just told that
20 she would get it. I guess immediately
21 after you said, I'll take Ms. Freeny if I
22 can't have Mr. Lowe, you were told, okay,
23 Ms. Freeny would be hired? Is it basically

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1 MS. CARTER: What's her name?
2 THE WITNESS: Eleanor Sweeney --
3 Freeny.
4 MR. PATTY: Freeny. I'm sorry.
5 MS. CARTER: Freeny. Well, I
6 started reading something, and
7 I thought we were either on a
8 different job --
9 MR. PATTY: I'm sorry.
10 A. Eleanor Freeny.
11 Q. All right. Have you ever had someone that
12 you hired who had to obtain an emergency
13 certificate or alternative certificate?
14 A. No, sir.
15 Q. Okay. Never had that come up?
16 A. No, sir. I wouldn't do that. No, sir.
17 Q. Did anyone try to say anything directly to
18 you to try to dissuade you from hiring
19 Mr. Lowe?
20 A. No, sir.
21 Q. Just told you, you can't hire him?
22 MS. CARTER: Object to the form.
23 I don't think he testified

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1 how --
2 A. Not quite that way.
3 Q. Okay.
4 A. I had to send the name in, so you're
5 talking about two or three days afterwards.
6 Q. Okay.
7 A. And that she would contact Ms. Freeny to
8 see if she was still interested in the
9 job.
10 Q. So it was in two or three days after you
11 said you'd take Ms. Sweeney that you were
12 told she would be hired?
13 A. Not that she would be hired, but that she
14 would contact her to see if she was still
15 interested in the job. Because you're
16 looking at maybe three weeks in between
17 that.
18 Q. Okay. How long after Ms. Sweeney said she
19 was interested and would take the job was
20 it that she was -- that you were told that
21 she would be hired?
22 A. As soon as possible.
23 Q. Okay.

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1 that he was told that.
2 THE WITNESS: No.
3 Q. You couldn't hire him.
4 MS. CARTER: Object to the form.
5 I don't think he testified to
6 that either.
7 A. No. I just asked again whether I could
8 hire Mr. Lowe, and she said no, and that
9 was it.
10 Q. Okay. You asked if you could hire
11 Mr. Lowe. She said no. Okay. Did
12 anybody -- other than that comment, did
13 anyone try to dissuade you from hiring
14 Mr. Lowe?
15 A. No, sir.
16 Q. Okay. Has anyone at the board ever
17 expressed any -- with administration --
18 any negative feelings about Mr. Lowe to
19 you?
20 A. Not to my knowledge, no, sir.
21 Q. Okay. Do you think you were qualified to
22 make the decision about whether or not to
23 hire Mr. Lowe for the reading coach?

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1 MS. CARTER: Object to the form.
 2 A. I wouldn't approach it in that way. It has
 3 to do with the chain of command, and you
 4 have to make your recommendation.
 5 Q. Sure.
 6 A. And the central office through Mr. Barker's
 7 office can make adjustments.
 8 Q. Okay. And I guess I'm -- I understand
 9 that chain of command, and I'm not really
 10 asking who has the authority. But in doing
 11 what you were doing, in making interviews
 12 and making decisions about what employees
 13 to recommend for hiring, do you feel like
 14 your experience and training and your work
 15 in the school system, you had the
 16 qualifications to make that kind of
 17 recommendation?
 18 MS. CARTER: Object to the form.
 19 A. Only thing I can say is inherent with the
 20 authority as principal, you can make
 21 recommendations for personnel.
 22 Q. Sure.
 23 A. But whether they be hired or not...

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1 Q. I understand. I understand.
 2 Have you ever been told by Mr. Barker
 3 or anyone in human resources that you
 4 needed to hire a woman?
 5 A. No, sir.
 6 Q. Have you ever been told that you needed to
 7 have more diversity in your staff or get
 8 more women involved in your staff, you had
 9 too many men, anything like that?
 10 A. No, sir.
 11 MR. PATTY: I may be just about
 12 done.
 13 MS. CARTER: Take a little break?
 14 (Brief recess.)
 15 EXAMINATION
 16 BY MS. CARTER:
 17 Q. Dr. Owens, when you were the principal at
 18 Daisy Lawrence, did you have more women or
 19 male teachers there?
 20 A. Had more female teachers.
 21 Q. Okay. You wouldn't have needed to hire
 22 women to balance your staff, would you?
 23 A. No.

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1 Q. If you were trying to balance or the
 2 Montgomery public school was trying to
 3 balance, they would have told you to hire
 4 men?
 5 MR. PATTY: Object to the form.
 6 A. More men.
 7 Q. But you were never told that you had to
 8 hire one gender or another under any
 9 circumstance; is that correct?
 10 MR. PATTY: Object to the form.
 11 A. That's correct.
 12 Q. I think Mr. Patty asked you about this. Is
 13 it your recollection that you never were
 14 told by Jimmy Barker that the reason that
 15 you needed to re-interview candidates was
 16 because Mr. Lowe had not been highly
 17 recommended out of the committee?
 18 MR. PATTY: Object to the form.
 19 A. That's correct.
 20 Q. You just don't remember that?
 21 A. I do not remember him saying that.
 22 Q. Do you know for a fact that he didn't tell
 23 you that, or are you just saying you don't

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1 remember that conversation?
 2 MR. PATTY: Object to the form.
 3 A. I just don't remember that part of the
 4 conversation.
 5 Q. Okay. Did you communicate with Mr. --
 6 Mr. Barker was the person who told you
 7 that you needed to talk to additional
 8 people, correct?
 9 A. That's correct.
 10 Q. But he's not the person who gave you the
 11 names of those people to talk to?
 12 A. I can't be sure who sent the e-mail out. I
 13 don't want to say that -- I don't think his
 14 name was on it. I believe it was Connie
 15 Mizelle.
 16 Q. Okay. And she forwarded the names of
 17 individuals?
 18 A. Via e-mail.
 19 Q. So it's your testimony that you just don't
 20 know where they got those three names of
 21 people, then?
 22 MR. PATTY: Object to the form.
 23 Q. Those three names? That there was no

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1 communication with you about who those
 2 people were?
 3 A. No. I didn't know either one until I
 4 interviewed them.
 5 Q. And just to be clear or so I'm clear, when
 6 you recommended -- when you initially
 7 recommended Mr. Lowe, you didn't interview
 8 anybody else for the job?
 9 A. That's correct.
 10 Q. And you did not have any communication with
 11 the office of curriculum and instruction
 12 about individuals that had been interviewed
 13 for coaching positions?
 14 A. No, ma'am.
 15 Q. Okay. So you had -- so I guess at that
 16 point, isn't it fair to say that you didn't
 17 know whether Melvin Lowe had even been
 18 interviewed by them?
 19 MR. PATTY: Object to the form.
 20 A. Well, his name was on a list. Reading
 21 coaches were interviewed, and his name had
 22 not been taken off the list
 23 Q. From the year before?

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1 A. Yes, ma'am.
 2 Q. Okay. All right. Is it correct that
 3 professional development budgets are based
 4 on per school? For example, if I worked
 5 for you as a teacher and I get to go on a
 6 professional development trip, it comes out
 7 of that school's budget?
 8 A. That's correct.
 9 Q. And is it also true that that budget is
 10 based on the number of teachers the school
 11 has?
 12 A. That's correct.
 13 Q. And is it fair to say that Daisy Lawrence
 14 had a very, very small staff of teachers
 15 compared to other schools?
 16 A. Right. That would be around 13 or 14
 17 certified staff.
 18 Q. Okay. I want to show you what's been
 19 marked by the plaintiff's attorney or by
 20 Mr. Lowe's attorney as Plaintiff's Exhibit
 21 5.
 22 MS. CARTER: I'll represent on the
 23 record that during the break,

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1 I showed Mr. Owens that
 2 Plaintiff's Exhibit 5 and
 3 asked him to review it.
 4 Q. When I showed you that exhibit during the
 5 break, is that the first time you had ever
 6 seen that e-mail?
 7 A. It is.
 8 Q. Okay. And this e-mail is dated June 22nd,
 9 2005; is that correct?
 10 A. 22nd, yes, 2005.
 11 Q. And in your review of this e-mail, were
 12 there any statements made by Mr. Lowe in
 13 this e-mail about you or about
 14 conversations he had with you that you
 15 believe are untrue?
 16 A. Yes. I don't know why they are there, but,
 17 you know, they are. It's a written
 18 communication.
 19 Q. Did you ever tell him that he was never
 20 going to have a chance in the school system
 21 unless he got rid of his Mercedes and
 22 changed his dress code?
 23 A. No, ma'am.

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1 Q. Did you ever tell him that you had been
 2 told by Mr. Barker or anybody else that he
 3 was not going to be hired back in the
 4 school system because he filed his lawsuit?
 5 A. No, ma'am.
 6 Q. Did you ever tell Mr. Lowe that Daisy
 7 Lawrence was closed because of him?
 8 A. No, ma'am.
 9 Q. Did you tell him that he had caused your
 10 career to suffer?
 11 A. No, ma'am.
 12 Q. Did you ever have any conversations with
 13 Mr. Lowe wherein you questioned his
 14 credibility or self-worth to him?
 15 A. No, ma'am. I think he's a very nice
 16 person.
 17 Q. Okay. In reviewing this e-mail, sitting
 18 here today, are you surprised that he said
 19 these things about you?
 20 A. Somewhat, yes, ma'am.
 21 Q. If you had been aware that he had written
 22 these things on June 22nd, 2005, with the
 23 opinion that they are untrue, would that

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1 have affected your decision to recommend
 2 him for the job as reading coach?
 3 MR. PATTY: Object to the form.
 4 A. It would have stained it somewhat, yes,
 5 ma'am.
 6 Q. Do you know anything that you've ever done
 7 to Mr. Lowe to make him say things about
 8 you that were not true?
 9 A. No, ma'am.
 10 Q. Did you ever have any conflict with him?
 11 A. No, ma'am.
 12 Q. And just to be clear on the record today,
 13 have you ever had any conversations with
 14 him about his lawsuit or telling him that
 15 his lawsuit had messed up his career in any
 16 way with Montgomery public schools?
 17 A. No, ma'am.
 18 Q. You've testified that after you recommended
 19 Melvin Lowe that you had not interviewed
 20 anybody else, and that you were then told
 21 you had to interview some other people. I
 22 think your testimony is you believed that
 23 Connie Mizelle sent you those three names;

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1 is that correct?
 2 A. That's correct.
 3 Q. Do you know, sitting here today, whether
 4 it's -- whether or not it's true that those
 5 three names were people that ranked very
 6 high during the interviews for reading
 7 coaches?
 8 MR. PATTY: Object to the form.
 9 Q. I mean, do you know one way or the other?
 10 A. I couldn't be sure of that.
 11 Q. When you hired -- when you went to
 12 Paterson this year and hired a reading
 13 coach, is it correct that this is the first
 14 school that you've been principal of or
 15 worked at that was hiring a reading coach?
 16 MR. PATTY: Object to the form.
 17 A. If we hold true to that Mr. Lowe's position
 18 at Daisy Lawrence was a reading tutor, then
 19 that statement would be true.
 20 Q. Okay. Well, is there any question that
 21 Mr. Lowe was hired as a reading tutor?
 22 A. Not now. It wasn't after he left the
 23 central office. I think that was clear.

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1 Q. And let's be clear on the time line about
 2 that. You -- and we're skipping back to
 3 the fall of 2003. You interviewed
 4 Mr. Lowe, and after the interview he went
 5 to central office; is that correct?
 6 A. That's correct.
 7 Q. When he came back from central office, is
 8 that when he told you that the position
 9 they were offering was a tutor position?
 10 MR. PATTY: Object to the form.
 11 Q. I'm sorry. Did I say it wrong?
 12 A. A reading tutor position.
 13 Q. Okay. Is that when he told you that?
 14 MR. PATTY: Object to the form.
 15 A. Yes.
 16 Q. And did you ask him if he was okay with
 17 that or if he was going to accept the job
 18 under those circumstances?
 19 A. Right. I asked him that at that time.
 20 Q. And did he say yes, he was going to take
 21 the job?
 22 MR. PATTY: Object to the form.
 23 A. He worked.

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1 Q. Okay. So in your mind, from that day
 2 forward, was there any question that his
 3 contract with Montgomery public schools was
 4 for a reading tutor position?
 5 MR. PATTY: Object to the form.
 6 A. I brought closure to it after he started to
 7 work, yes, as a reading tutor.
 8 Q. Okay. You've said that he performed the
 9 duties of a reading coach or some of the
 10 duties --
 11 A. Yes, ma'am.
 12 Q. -- as a reading coach in your school?
 13 A. Yes, ma'am.
 14 Q. How were you aware of what reading coaches
 15 were doing in other schools?
 16 A. Well, basically, by the nature of the job.
 17 If you regulate a person being a teacher
 18 tutor, they will only tutor certain
 19 students that the teachers have found to be
 20 struggling. Mr. Lowe had developed and
 21 worked direct instruction, interventionist
 22 funding for reading, and he was actually
 23 able to assist the teachers. And that's

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1 how you draw the distinction between a
2 reading tutor and a reading coach.
3 Q. Okay. Was he required to do that while he
4 worked for your school?
5 MR. PATTY: Object to the form.
6 A. He did -- he performed those duties and
7 e-mails, whatever the school needed. If he
8 did not do it, then I had to do it. That's
9 the way it worked.
10 Q. What was your average student attendance
11 the last year Daisy Lawrence was open?
12 A. The last year, Daisy Lawrence enrollment
13 peaked at about I want to say about 55 or
14 60.
15 Q. So any given day, you would have 55 or 60
16 students there?
17 A. Well, that's not the way that alternative
18 school works. There are students coming in
19 and going out.
20 Q. Okay. So on a day, what did y'all
21 average -- during that last school year,
22 average a day for student attendance?
23 A. The first part of the year, you're

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1 Q. Yes, but before that had anybody told you
2 that?
3 A. No, sir.
4 Q. Okay. And Ms. Freeny. Where had she
5 worked prior to coming to work with you as
6 reading coach?
7 A. Brewbaker Intermediate School.
8 Q. And what was her position there?
9 A. She was a classroom teacher.
10 Q. What did she teach?
11 A. Basic social.
12 Q. All right. Was it a block type thing where
13 she was teaching basic social to different
14 grades, or was it -- did she have one grade
15 or do you know?
16 A. A school that size, you're probably going
17 to be departmentalized probably.
18 Q. All right. And do you know if she had
19 taught reading before?
20 A. Yes, sir.
21 Q. All right. Where had she taught that?
22 A. At --
23 Q. Brewbaker?

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1 talking about maybe 35, 40, and the
2 latter months you're talking about --
3 February, March, just say March and
4 April when the talk began to swirl about
5 closing, we were averaging somewhere
6 between 13 and 15 because a lot of them had
7 been -- had exited the program after
8 December.
9 Q. Okay. Bill might have already asked you
10 this. If he did, I apologize. Did you
11 know Mr. Lowe's mom or anything about a
12 lawsuit she's ever filed against the school
13 system?
14 A. No, ma'am.
15 Q. That's it.
16 EXAMINATION
17 BY MR. PATTY:
18 Q. Did anybody ever tell you anything about
19 needing to contact a curriculum and
20 instruction committee about reading coach
21 interviews?
22 A. Mr. Barker contacted me and told me to
23 contact Ms. Mizelle.

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1 A. -- Brewbaker, yes, sir.
2 Q. Do you know how long she had taught
3 reading?
4 A. She told me she had been teaching reading a
5 long time. Exact number of years, I
6 couldn't say.
7 Q. Okay. Was she teaching reading, though, at
8 the time she moved from Brewbaker to your
9 school?
10 A. Yes, sir. All teachers are reading
11 teachers in that block. We have a block of
12 time.
13 Q. Okay. Would she be -- would it be a
14 self-contained class she was teaching
15 or --
16 A. Well, that depends on the assessment and
17 the placement of students.
18 Q. All right. Had she been through any
19 reading coach training program as far as
20 you know?
21 A. Not to my knowledge.
22 Q. And what was her last degree, highest
23 degree?

23 (Pages 89 to 92)

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1 A. She has a master's degree.
 2 Q. What's it in, do you know?
 3 A. Elementary education.
 4 Q. And where is that degree from?
 5 A. I can't remember that.
 6 Q. All right. Do you remember her
 7 certification?
 8 A. Her certification was in elementary
 9 education.
 10 Q. Teaches elementary ed?
 11 A. Right.
 12 Q. And do you remember if it was K through 12
 13 or just K through six?
 14 A. I think it's K through six. Sometimes you
 15 can get reading that would go up to maybe
 16 ninth grade in elementary school.
 17 Q. Okay. And how long had she worked as a
 18 teacher?
 19 A. Nineteen years.
 20 Q. And how long had she worked in this
 21 particular system?
 22 A. Nineteen.
 23 Q. Nineteen? She's always been in

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1 Montgomery?
 2 A. Yes.
 3 Q. Okay. Did you know her prior to this, her
 4 coming on board with you?
 5 A. No, sir.
 6 Q. Do you know if she had worked in any
 7 reading coach position prior to her coming
 8 to work for you at Paterson?
 9 A. No, sir. That was one of the questions I
 10 asked them during the interview. No.
 11 Q. Do you know if her master's degree would
 12 have any specialized courses regarding
 13 reading?
 14 A. No, sir.
 15 Q. Do you know --
 16 MS. CARTER: No, it doesn't, or
 17 no, you don't know?
 18 THE WITNESS: I'm not sure of
 19 that.
 20 Q. Do you know if she has any specialized
 21 reading training or course work or --
 22 A. Other than working at a school, teaching
 23 reading, no, sir.

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1 Q. Other than on-the-job training, so to
 2 speak?
 3 A. Right.
 4 Q. Okay. Had she ever had a position where
 5 she would have dealt with teachers in the
 6 type -- in a role similar to what a reading
 7 coach does?
 8 A. No, sir.
 9 Q. Okay. That's all I have.
 10 MS. CARTER: I remembered what I
 11 forgot to ask him.
 12 EXAMINATION
 13 BY MS. CARTER:
 14 Q. You testified that some stuff was --
 15 something was mailed to you about a
 16 reprimand that Melvin got at Southlawn, and
 17 it was just in an envelope?
 18 A. Yes.
 19 Q. Is that right? And it just showed up?
 20 A. Yes.
 21 Q. Was it mailed to you at school?
 22 A. At school.
 23 Q. Okay. What did it contain? What was it?

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1 Was it just a copy of his reprimand or was
 2 there additional information?
 3 A. Just a copy of the reprimand.
 4 Q. Do you have any idea where it came from?
 5 A. No, I do not.
 6 Q. Do you know if it was a mad parent who
 7 was mad that Melvin got a job back with
 8 MPS?
 9 A. I certainly hope that a parent wouldn't
 10 have that, but I --
 11 Q. Do you know?
 12 A. I have no earthly idea where it came
 13 from.
 14 Q. Do you know if it was from a teacher?
 15 A. I have no earthly idea.
 16 Q. Okay. Did anybody ever tell you that
 17 somebody in HR sent that to you?
 18 A. No, ma'am.
 19 Q. And that came to you a couple months after
 20 he started back work with you at Daisy
 21 Lawrence, right?
 22 A. About two months. The first -- not after
 23 he started back work, but that year, the